

EXHIBIT 95

SDMS DocID 451826

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
EPA - REGION I (NEW ENGLAND)
J.F. KENNEDY FEDERAL BUILDING, BOSTON, MA 02203-2211
Superfund Records Center

MEMORANDUM

DATE: June 5, 1997

SITE: BenningtonBREAK: 10.8OTHER: 451826

SUBJ: PRP Hazardous Waste Volumes Sent to the Bennington
Landfill Superfund Site in Bennington, VT and
Determination of Eligibility for De Minimis Settlement

FROM: Edward M. Hathaway, Remedial Program Manager

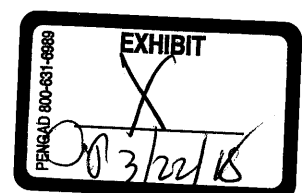
TO: Site File
Bennington Landfill Superfund Site

Attached to this cover memorandum are two documents which summarize EPA's findings and conclusions concerning the waste contributions of the generator potentially responsible parties (PRP) at the Bennington Landfill Superfund Site (Site). The objective of this exercise was to determine if there was justification for a de minimis settlement at the Bennington Landfill (BLF) and, if so, to designate which parties should be considered de minimis parties.

The first document, attached as Attachment A, is a detailed matrix which lists each PRP, their hazardous waste streams, estimated quantities, years of disposal, total waste volumes, and other information pertinent to this analysis. The second document, attached as Attachment B, consists of a summary explanation of the matrix data and method used to estimate PRP hazardous waste quantities. Attachment B also references the documents and sources of information within the administrative record for the de minimis settlement which form the basis for EPA's findings regarding each PRP's estimated volume and eligibility for de minimis treatment.

The conclusions of the EPA, set forth in this memorandum, are consistent with the requirements of Section 122(g)(1)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

In conducting our analysis, EPA reviewed all available documents regarding hazardous substance generation and disposal in connection with the Bennington Landfill. These documents were acquired from various sources, including: the Town of Bennington; PRP responses to CERCLA 104(e) information request letters; interview summaries with people knowledgeable with the Site; PRP, Vermont Agency of Environmental Conservation (VT AEC) and Vermont Agency of Natural Resource (VT ANR) correspondence; VT AEC and VT ANR reports and surveys; and the Morgan Spring Contamination Study. From the documents, the EPA extracted the qualitative and



quantitative volumetric information about the hazardous substances disposed at the BLF, the identity of parties who generated and/or transported hazardous substances disposed at the Site, the identity and nature of the hazardous substances generated and/or transported to the Site, and the information about waste disposal practices at the Site.

Because the information regarding PRP waste types and volumes at the Bennington Landfill was, like much municipal landfill site information, incomplete and somewhat varied in quality and completeness from PRP to PRP, EPA made certain limited assumptions concerning the hazardous substances and the volumes of these hazardous substances disposed at the Site by each PRP. These assumptions were applied consistently to the PRPs and were made in order to assign waste volume allocations. These allocations reflect the case team's best professional judgment and may be considered EPA's best estimate.

Some general assumptions made in our analysis include the following: 1) Bennington Landfill operated from 6/69 until 4/87 or for 17 years, 11 months; 2) If a PRP was established in Bennington during years of the landfill operation, we assumed, unless reliable information indicated otherwise, that the PRP used the landfill during that time; 3) Waste containers classified as "empty" are assumed to contain some sediment. For example, "empty" 55 gallon barrels are assumed to contain 2 gallons remaining; 4) Toxicity comparisons are not relevant for this analysis.

BENNINGTON LANDFILL - DE MINIMIS ELIGIBILITY AND FAIR SHARE ANALYSIS

May-97

Attachment H

Name	Waste Stream	Hauler	Max. Quantity	unit	time pd.	Conv. Factor gal/u. pd/yr	Years	Total Vol (gal)	Adj. Fctr	Adjusted Vol (gal)
Add/Hadwen	waste ink., solvents		1.5	bbl	yr	55	18	1,485	1	1,485
	empty solvent barrels		1.5	ED	mo	2	12	648	1	648
	empty ink barrels		1.5	ED	mo	2	12	648	1	648
	Total							2,781		2,781
Arken Industries	metal chips & solvents	Bernie's	1	bbl	wk	55	10.5	30,030	1	30,030
	Total							30,030		30,030
	empty ink bbls.	Sweet	6	ED	mo	2	12	2,592	1	2,592
	waste ink, solvents an						18	0	1	0
	photography chemical		6	bbl	yr	55	1	5,940	1	5,940
	empty solvent barrels		6	ED	mo	2	12	2,592	1	2,592
	Total							11,124		11,124
Banner Publishing	waste ink/solvent/glue		9	bbl	day	55	260	772,200	1	772,200
	Total							772,200		772,200
Ben-Mont/Textron	asbestos	Bernie's	5	lb	yr	0.125	15	9	1	9
	absorbents	EAction	13	lb	mo	0.125	12	338	1	338
	oil filters		1,400	lb	yr	0.125	1	3,150	1	3,150
	lab waste		15	gal	yr	1	15	225	1	225
	waste paint & solvents		3	gal	mo	1	12	540	1	540
	Total							4,262		4,262
Bennington Coll	waste paint/sand/oil		1	bbl	mo	55	12	11,880	1	11,880
	Total							11,880		11,880
Benn. Iron Wks	tremolitic clay	EAction	50	lb	yr	0.125	1	113	1	113
	5151 brown		1	lb	yr	0.125	1	1	1	1
	Total							114		114
Benn. Potters	grinding sludge		2	bbl	wk	55	52	102,960	1	102,960
	waste solvents		200	gal	wk	1	52	187,200	1	187,200
	Total							290,160		290,160
Bijur Lubricating	cloth strips w/ solvent		10	yd3	wk	202	52	1,601,860	0.1	160,186
	waste oils		600	gal	yr	1	1	6,150	1	6,150
	waste dyes		60	gal	yr	1	1	915	1	915
	Total							1,608,925		167,251
Catamount Dyers	SD, oil & solvent		1	bbl	mo	55	12	11,880	1	11,880
	scrap metal, wire		1	bbl	mo	55	12	11,880	0.1	1,188

BENNINGTON LANDFILL - DE MINIMIS ELIGIBILITY AND FAIR SHARE ANALYSIS

: May-97

Name	Waste Stream	Hauler	Max. Quantity	unit	time pd.	Conv. Factor gal/u. pd/yr	Years	Total Vol (gal)	Adj. Fctr	Adjusted Vol (gal)
Centr. Vt. Pub. Sv	Total							23,760		13,068
	waste oil	Sweet	6	gal	mo	1	12	1,296	1	1,296
	degreasers (solvents)	EMT	1	gal	mo	1	12	216	1	216
	SD, oil & solvents		1	bbl	mo	55	12	11,880	1	11,880
	settling basin sludge		3	gal	mo	1	12	648	1	648
Chem Fab	Total							14,040		14,040
	adhesives film	EAction	2	gal	yr	1	1	30	1	30
	adhesive resins		2	gal	yr	1	1	30	1	30
	cloth & acetone		165	gal	yr	1	1	2,475	1	2,475
	cutting oil		1	gal	yr	1	1	15	1	15
	SD & hydraulic oil		2	gal	yr	1	1	30	1	30
	waste paint		300	gal	yr	1	1	4,500	1	4,500
Courtaulds	Total							7,080		7,080
	waste cutting oil	LaFlam	250	lb	mo	0.125	12	6,225	1	6,225
Creative Products	Total							6,225		6,225
	Plant No. 1									
	form cakes		15	lb	day	0.125	260	3,656	1	3,656
	battery assy.		19	lb	day	0.125	260	4,570	1	4,570
	waste oil		300	gal	yr	1	1	1,800	1	1,800
	solvents		50	gal	yr	1	1	300	1	300
	Plant No. 2									
	metal wastes & salts		556	lb	day	0.125	260	325,260	1	325,260
	PCBs		70	lb	yr	0.125	1	158	1	158
Eveready Battery	Total							335,743		335,743
	oil filters	EAction	8	OF	mo	0.25	12	432	1	432
	metal grindings		25	lb	mo	0.125	12	675	1	675
	paint waste		2	gal	mo	1	12	432	1	432
H M Tuttle*	Total							1,539		1,539
	waste oils (PCBs)		6	bbl	wk	55	52	171,600	1	171,600
	paint waste		2	bbl	mo	55	12	10,560	1	10,560
	waste liq. (solvents)		600	gal	2mo	1	6	28,800	1	28,800
	SD & oil		300	lb	mo	0.125	12	8,100	1	8,100
	reject capacitors		20,000	lb	mo	0.125	12	540,000	1	540,000

BENNINGTON LANDFILL - DE MINIMIS ELIGIBILITY AND FAIR SHARE ANALYSIS

May-97

Name	Waste Stream	Hauler	Max. Quantity	unit	time pd.	Conv. Factor gal/u. pd/yr	Years	Total Vol (gal)	Adj. Fctr	Adjustd Vol (gal)
Jard Co., Inc.	Total							759,060		759,060
	floor scrubblings		30	gal	day	1	260	140,400	1	140,400
	waste liq. (solv & oil)		55	gal	wk	1	52	17,160	1	17,160
	waste oils		110	gal	mo	1	12	7,920	1	7,920
	mold coat. compound		55	gal	mo	1	12	3,960	1	3,960
	VWTP sludge (pb)		5,000	gal	mo	1	12	360,000	1	360,000
	scrap batteries		10	bat	day	1.5	260	46,800	1	46,800
Johnson Controls	Total							576,240		576,240
	metal chips & oil, and waste paint, solv. & S		1	bbl	wk	55	52	51,480	1	51,480
Lauson Machine	Total							51,480		51,480
	paint & waste solvent	Bernie's	3	gal	mo	1	12	180	1	180
	oil & fuel filters		30	OF	yr	0.25	1	135	1	135
	SD		25	lb	mo	0.125	12	675	1	675
	junk parts		0.5	bbl	mo	55	12	5,940	1	5,940
	metal & oil		1	bbl	yr	55	1	990	1	990
Merrill Transport	Total							7,920		7,920
	SD & oil & solvent	Andrew	500	lb	yr	0.125	1	625	1	625
Monument Industr.	Total							625		625
	SD & oil	EAction	25	gal	mo	1	12	3,000	1	3,000
	plastic chips & oil		25	lb	wk	0.125	52	1,625	1	1,625
Monument Plastics	Total							4,625		4,625
	SD, oil & solvent	EAction	240	lb	mo	0.125	12	2,880	1	2,880
	metal waste		20	30gd	yr	30	1	4,800	1	4,800
	waste oil		70	gal	mo	1	12	6,720	1	6,720
	waste hydro oil		30	gal	mo	1	12	2,880	1	2,880
Schmelzer/Masco	Total							17,280		17,280
	metal chips & oil	Bernie's	1	bbl	wk	55	52	28,600	1	28,600
Sibley Mfr./CLR	Total							28,600		28,600
	med waste (oil & solv)	Wilson	1	bbl	yr	55	1	990	1	990
SW Vt. Med. Cent	Total							990		990
	waste oil	EAction	25	gal	mo	1	12	2,100	1	2,100
	rags & solvent		2	bbl	mo	55	12	9,240	1	9,240

BENNINGTON LANDFILL - DE MINIMIS ELIGIBILITY AND FAIR SHARE ANALYSIS

7-May-97

Name	Waste Stream	Hauler	Max. Quantity	unit	time pd.	Conv. Factor gal/u.	pd/yr	Years	Total Vol (gal)	Adj. Fctr	Adjustd Vol (gal)
Triangle PWC	S-D, oil & solv		150	lb	mo	0.125	12	7	1,575	1	1,575
	waste paint/adhesives		1	bbl	mo	55	12	7	4,620	1	4,620
	Total								17,535		17,535
U.S. Tsubaki, Inc.	S-D & oil		1,800	lb	yr	0.125	1	10	2,250	1	2,250
	other liquids		214	lb	yr	0.125	1	10	268	1	268
	grinding sludge		1	bbl	mo	55	12	10	6,600	1	6,600
	Total								9,118		9,118
Vt. Transp. Agenc	SD & oil		25	lb	mo	0.125	12	18	675	1	675
	oil filters		16	O.F.	yr	0.25	1	18	72	1	72
	waste paint		10	lb	mo	0.125	12	18	270	1	270
	rags, oil & solvents		2	bbl	yr	55	1	18	1,980	1	1,980
	Total								2,997		2,997
Vt. Bag & Film	grease & degreasers	Bernie's	500	lb	yr	0.125	1	18	1,125	1	1,125
	Total								1,125		1,125
Vt. Tissue Paper	sludge (paper fibers)		16	gal	yr	1	1	10	160	1	160
	Total								160		160

Conversion Factor
to convert to gallons

pound	0.125
oil filter	0.25
gallon	1
auto battery	1.5
empty 55 gallon drum	2
30 gallon drum	30
55 gallon drum	55
cubic yard	202

* Insufficient information to determine de minimis status and no comparable generator exists upon which to base reasonable assumptions.

BENNINGTON LANDFILL - DE MINIMIS ELIGIBILITY AND FAIR SHARE ANALYSIS

2 May-97

Name	Stat	Total Vol	%/site share	%/viable parties	De Min?	Adjstd Vol	Site shr. Adjstd	% viable adjstd	Minimum Payment	Actual Payment	Pmnt OK?
Add/Hadwen	S	2,781	0.04%	0.07%	DM	2,781	0.06%	0.08%	13,310	61,200	ok
Arken Industries	D	30,030	0.46%			30,030	0.67%				
Banner Publishing	N	11,124	0.17%	0.28%	DM	11,124	0.25%	0.32%	53,238		
Ben-Mont/Textron	M	772,200	11.76%	19.14%	major	772,200	17.19%	22.45%			
Bennington Coll	S	4,262	0.06%	0.11%	DM	4,262	0.09%	0.12%	20,397	58,200	ok
Benn. Iron Wks	S	11,880	0.18%	0.29%	DM	11,880	0.26%	0.35%	56,856	170,000	ok
Benn. Potters	N	114	0.00%	0.003%	DM	114	0.00%	0.003%	544		
Bijur Lubricating	M	290,160	4.42%	7.19%	major	290,160	6.46%	8.43%			
Catamount Dyers	D	1,608,925	24.50%			167,251	3.72%				
Centr. Vt. Pub. Svc.	S	23,760	0.36%	0.59%	DM	13,068	0.29%	0.38%	62,542	68,200	ok
Chem Fab	S	14,040	0.21%	0.35%	DM	14,040	0.31%	0.41%	67,194	180,000	ok
Courtaulds	S	7,080	0.11%	0.18%	DM	7,080	0.16%	0.21%	33,884	250,000	ok
Creative Products	D	6,225	0.09%			6,225	0.14%				
Eveready Battery	M	335,743	5.11%	8.32%	major	335,743	7.47%	9.76%			
H M Tuttle*	S	1,539	0.02%	0.04%	DM	1,539	0.03%	0.04%	7,365	77,000	ok
Jard Co., Inc.	D	759,060	11.56%			759,060	16.89%				
Johnson Controls	M	576,240	8.77%	14.28%	major	576,240	12.82%	16.75%			
Lauzon Machine	N	51,480	0.78%	1.28%	major	51,480	1.15%	1.50%			
Merrill Transport	D	7,920	0.12%			7,920	0.18%				
Monument Industr.	N	625	0.01%	0.02%	DM	625	0.01%	0.02%	2,991		
Monument Plastics	N	4,625	0.07%	0.11%	DM	4,625	0.10%	0.13%	22,135		
Schmelzer/Masco	S	17,280	0.26%	0.43%	DM	17,280	0.38%	0.50%	82,700	188,200	ok
Sibley Mfrg./CLR	S	28,600	0.44%	0.71%	DM	28,600	0.64%	0.83%	136,876	178,200	ok
SW Vt. Med. Center	S	990	0.02%	0.02%	DM	990	0.02%	0.03%	4,738	73,200	ok
Triangle PWC	S	17,535	0.27%	0.43%	DM	17,535	0.39%	0.51%	83,920	188,200	ok
U.S. Tsubaki, Inc.	S	9,118	0.14%	0.23%	DM	9,118	0.20%	0.27%	43,635	178,200	ok
Vt. Transp. Agency	S	2,997	0.05%	0.07%	DM	2,997	0.07%	0.09%	14,343	73,200	ok
Vt. Bag & Film	S	1,125	0.02%	0.03%	DM	1,125	0.03%	0.03%	5,384	33,200	ok
Vt. Tissue Paper	N	160	0.00%	0.00%	DM	160	0.00%	0.00%	766		
All Generators		4,597,617	70.00%			3,145,251	70.00%				
Harry Andrews	N	625	0.05%	0.08%	DM	625	0.05%	0.06%	9,913		

BENNINGTON LANDFILL - DE MINIMIS ELIGIBILITY AND FAIR SHARE ANALYSIS

[illegible]

Orphan Share	Total	Adjusted
De Min	22.18%	22.94%
Majors	30.06%	43.94%
Non-Settlers	9.20%	9.68%
Defunct Parties	38.56%	23.43%
Total	100.00%	100.00%

Shares for Each Class of PRP	
Owner Operator	20.00%
Transporters	10.00%
Generators	70.00%

De Minimis	Cutoff	1.00%
------------	--------	-------

Criteria	Stat	Stat	Stat	Stat
Table	S	M	N	D

COST BASIS FOR DE MINIMIS SETTLEMENT

	Cost	Prob- ability	Adjusted Cost	Premium Percent	Premium Amount	Total	Total Less Orph. Funds
Past Costs	792,000	100%	792,000	100%	792,000	1,584,000	
RI/FS	3,800,000	100%	3,800,000	12%	444,600	4,244,600	4,244,600
RI/FS Oversight	1,100,000	100%	1,100,000	12%	128,700	1,228,700	1,228,700
NTCRA Design	1,836,000	100%	1,836,000	25%	459,000	2,295,000	2,295,000
NTCRA Construction	4,221,000	100%	4,221,000	25%	1,055,250	5,276,250	5,276,250
Leachate Collection	500,000	100%	500,000	25%	125,000	625,000	625,000
Post Removal Site Control	1,060,000	100%	1,060,000	25%	265,000	1,325,000	1,325,000
EPA & State Oversight	450,000	100%	450,000	50%	225,000	675,000	
Long Term Monitoring	742,000	100%	742,000	50%	371,000	1,113,000	
Future Pump & Treat Remedy	16,518,000	5%	825,900	50%	412,950	1,238,850	1,238,850
NRD Restoration	172,000	100%	172,000	25%	43,000	215,000	215,000
NRD Payments	16,600	100%	16,600	0%	0	16,600	16,600
			15,515,500	27.85%	4,321,500	19,837,000	16,465,000

BENNINGTON LANDFILL - DE MINIMIS ELIGIBILITY AND FAIR SHARE ANALYSIS

: May-97

Calculation of Orphan Share Funding

	EPA	VT	PRPs	Total
EPA Past Costs	\$792,000			\$792,000
NTCRA Construction			\$4,221,000	\$4,221,000
Leachate Collection			\$500,000	\$500,000
Post Removal Site Controls			\$1,060,000	\$1,060,000
NTCRA Design			\$1,836,000	\$1,836,000
Oversight	\$450,000		\$0	\$450,000
Long Term Monitoring (PV)	\$442,000	\$300,000	\$0	\$742,000
Subtotal	\$1,684,000	\$300,000	\$7,617,000	\$9,601,000
Percentages	18%	3%	79%	
R/FS Costs			\$3,800,000	\$3,800,000
Oversight of R/FS			\$1,100,000	\$1,100,000
Total Site Costs	\$1,684,000	\$300,000	\$12,517,000	\$14,501,000
Percentages	11.6%	2.1%	86.3%	

ATTACHMENT B

EXPLANATION OF PRP WASTE CONTRIBUTION ESTIMATES

BENNINGTON LANDFILL SUPERFUND SITE

Add, Inc./Hadwen (publisher of the Pennysaver Press):

Best Estimate of Waste Volume: 2,781 gals.

Source(s) of Information: 104(e) response(s); Witness interview(s); Attorney correspondence; Morgan Spring Contamination Study (VT, 1985); Information submitted by PRP representatives through the PRP Coalition

Type of Business: Publishes and prints a weekly shopper newspaper in addition to other publications,

26 full time and 7 part time employees.

In business in Bennington since 1958 and use of the Landfill was assumed to be from 1969 through date of Landfill closure. Used Wilson Trucking d.b.a East Mountain Transportation.

Waste Quantity: No specific waste disposal information is identified in 104(e) response. A similar business, however, the Bennington Banner, is also a PRP at the Site. In terms of relative size, Banner is a daily newspaper with 120 employees.

Accordingly, it is assumed that Add/Hadwen waste production would be $1/4 - 1/7$ the waste production of Banner since the former is less than half the size of, and published at $1/7$ of the frequency of, the Bennington Banner.

Banner estimates were 6 full barrels of waste ink, photographic chemicals, and solvents (combined) per year and 6 empty ink barrels and 6 empty solvent barrels per month. Full barrels are assumed to contain 55 gallons and empty barrels are assumed to contain 2 gallons.

Waste volume was estimated using a low end adjustment and assuming that Add/Hadwen's waste would be one-quarter that of Banner. This resulted in an estimate of 1.5 full barrels of waste ink, photographic chemicals, and solvents (combined) per year and 1.5 empty ink barrels and 1.5 empty solvent barrels per month. All amount were multiplied by the 18 years of landfill usage.

Arken Industries, Inc.

Best Estimate of Waste Volume: 30,030 gals.

Source(s) of Information: 104(e) response(s); Witness interview(s); Morgan Spring Contamination Study

Type of business: Metal job shop doing turning, drilling and milling. Believed to be a defunct entity.

In business since 1976 (incorporated in 1976) and use of the Landfill was assumed to be from 1976 through date of Landfill closure. Bernie's Trucking and Environmental Action were transporters.

Employees 4-10.

Similar Business: Lauzon

Waste Quantity: Approximately 1 barrel per week of metals chips went to the Landfill (104(e)). Assumed that each barrel also contained cutting oils and solvents and that each barrel was full.

Banner Publishing

Best Estimate of Waste Volume: 11,124 gals.

Source(s) of Information: 104(e) response(s); Witness interview(s); Morgan Spring Contamination Study

Type of business: Publishes the Bennington Banner

In business in Bennington for over 100 years. Assumed use of the Landfill from 1969 through the date of Landfill closure. Tom Sweet transported some of the Banner Wastes.

120 employees.

Similar business: Add/Hadwen (Pennysaver Press)

Waste Quantity:

Estimated waste production at 6 empty barrels per month of waste ink and 6 empty barrels per month of waste solvents (Morgan Springs Contamination Study). Also produced an estimated 6 full barrels per year of mixed liquids (e.g., solvents, photographic chemicals, and waste ink) based upon best professional judgement of Site information regarding unquantified waste streams.

Assumed that the empty solvent and empty ink barrels contained 2 gallons of residue and that the solvent barrels contained 55 gallons each. Also assumed that the solvent barrel estimate included any additional miscellaneous liquid wastes.

Ben-mont Corporation (Textron, Inc.)

Best Estimate of Waste Volume: 772,200 gals.

Source(s) of Information: 104(e) response(s); Witness interview(s); Company correspondence; Morgan Spring Contamination Study; Letter from Town regarding liquid waste dumping in Landfill lagoon; VT AEC company waste survey

Type of business:

Gift wrappings, paper printing, icicles, tissue, and custom printing.

Unknown number of employees.

In business and using the Landfill from 1969 until at least 1975. Several of the above references indicate landfill usage for disposal of liquid industrial wastes from 1969 through 1975. One of six companies that received a notice from the Town of Bennington to stop dumping liquids in the lagoon.

Waste Quantity:

2-15 barrels per day of ink cleaning solvents (interview).

Assumed average of 9 barrels per day with 55 gallons in each.

Bennington College

Best Estimate of Waste Volume: 4,262 gals.

Source(s) of Information: 104(e) response(s); PRP Coalition correspondence; Information submitted by PRP representatives through the PRP Coalition

Type of business:

Liberal arts college.

Incorporated in 1925. Assumed use of Landfill from 1969 through the date of Landfill closure. Bernie's Trucking and Environmental Action were transporters.

Unknown number of employees.

Waste Quantity:

5 lbs asbestos per year (from 1969 until 1981); 13 pounds per month of adsorbents; 1400 pounds of oil filters; 15 gallons year of lab waste; 3 gallons per month of waste paint and solvents (104(e)).

All estimated volumes were converted to their liquid equivalent in gallons.

Bennington Iron Works

Best Estimate of Waste Volume: 11,880 gals.

Source(s) of Information: 104(e) response(s); Correspondence with VT ANR; Morgan Spring Contamination Study; RCRA inspection report; Correspondence from PRP Coalition; Information submitted by PRP representatives through the PRP Coalition

Type of business:

Structural steel and miscellaneous iron fabricator.

Employees: 3 in 1968, 14 in 1975, and 75 in 1988.

In business from 1968 (104(e)). Assumed use of the Landfill from 1969 through the date of Landfill closure (104(e)).

Waste Quantity:

For 1989, waste estimate includes 12-15 drums of paint/sand/oil twice per year which equals 30 drums per year (VT RCRA Inspection Report and Company Statement). Assuming 55 gallons per drum, that totals 1650 gallons per year.

The volume of waste was adjusted for the variable employee levels with a linear growth assumed. Accordingly, the average waste production is estimated at 22 gallons per employee. The average number of employees per year is 30. Therefore, $22 \times 30 = 660$ gallons per year (essentially, one barrel per month).

It is assumed that steel chips were recycled, waste oil burned, and solvent barrels returned to distributor (Company Statements).

Bennington Potters

Best Estimate of Waste Volume: 114 gals.

Source(s) of Information: 104(e) response(s); Witness interview(s); Morgan Spring Contamination Study

Type of business:

Manufacturer of hand finished stoneware, ceramic dinner wares and terra cotta planters.

Employees: 85

In business for 42 years. Assumed use of the Landfill from 1969 through date of Landfill closure (104(e)). Environmental Action was transporter.

Waste assumptions:

50 pounds per year of tremolitic clay (104(e))
1 pound per year of 5151 brown (104(e))

All estimated volumes were converted to their liquid equivalent in gallons.

B.Co. (f/k/a Bijur Lubricating Corp.)

Best Estimate of Waste Volume: 290,160 gals.

Source(s) of Information: 104(e) response(s); Witness interview(s); Letter from Town regarding liquid waste dumping in Landfill lagoon; VT AEC hazardous waste inspection sheet; VT AEC preliminary assessment; Morgan Spring Contamination Study; Correspondence from company.

Type of business:

Manufacturer of lubricating systems and mist coolant equipment.

In business and using the Landfill from 1969 through date of Landfill closure.

Unknown number of employees.

Waste estimate of 200 gallons per week of waste solvents (Company correspondence) and 2 barrels a week of grinding sludge (Witness Interview).

Catamount Dyers

Best Estimate of Waste Volume: 1,608,925 gals. (unadjusted)
167,251 gals. (adjusted)

Source(s) of Information: Witness interview(s); Transporter log; Letter from Town regarding liquid waste dumping in Landfill lagoon; VT AEC trip reports; VT AEC company waste profile; Morgan Spring Contamination Study; Correspondence from company; Special load permit from Town

Type of business:

Company engaged in dying and finishing knit fabric; Believed to be a defunct entity.

Employees: 150

Incorporated in 1970. Believed to have been in business and using the Landfill from 8/70 through 11/85. Bernie's Trucking was a transporter.

Waste estimates include 600 gallons per year of waste oils (Industrial Waste Survey, State of Vermont) and 60 gallons per year of waste dyes ("small quantities" of dye are assumed to be one-tenth the waste oil volume based upon best professional judgement). Waste estimates also include 10 cubic yards per week of cloth strips with solvents based on the assumption that a full one-quarter of the plant waste volume consisted of this cloth waste (Interview provided estimate of 40 yard roll-off and best professional judgement was used to determined adjustments). For such cloth waste volume, an adjustment factor of 0.1 was applied based on the effect of evaporation on the solvents contained therein and that the bulk cloth volume greatly exceeded the volume of solvents therein.

All estimated volumes were converted to their liquid equivalent in gallons.

Central Vermont Public Service Corporation

Best Estimate of Waste Volume: 23,760 gals. (unadjusted)
13,068 gals. (adjusted)

Source(s) of Information: 104(e) response(s); Witness interview(s); Correspondence and affidavit from company; Morgan Spring Contamination Study; Correspondence from PRP Coalition

Type of business:

Garage facility run as part of regional utility company.

In business and using the Landfill from 1969 through date of Landfill closure (104(e)). Ted Senecal was the transporter.

Unknown number of employees.

Interview information shows barrels sent to Landfill. Assumed one barrel per month for each waste stream based on best professional judgment that such hazardous waste comprised not more than between 5 and 10 percent of total plant waste generated. Waste estimate includes 1 barrel per month of speedi-dry, waste oil and solvent (mixed) and 1 barrel per month of scrap metal and wire.

An adjustment factor of 0.1 was applied to the scrap metal and wire waste due to its low mobility and solubility in comparison to other wastes disposed of at the Landfill.

Chemfab Corporation

Best Estimate of Waste Volume: 14,040 gals.

Source(s) of Information: 104(e) response(s); Witness interview(s); Morgan Spring Contamination Study; VT AEC trip report; VT AEC letter; Information submitted by PRP representatives through the PRP Coalition

Type of business:

Applies Teflon to consumer and commercial products.

In business and using the Landfill from 1969 through date of Landfill closure (104(e)).

Unknown number of employees.

Waste estimate includes 1 gallon per month of degreasers, 6 gallons per month of lubricating and hydraulic oils, 3 gallons per month of settling basin sludge, (104(e)) and 1 barrel per month of speedi-dry soaked with waste oil and solvents (mixed) based upon best professional judgement after reviewing the available information.

Courtauld Structural Composites, Inc.

Best Estimate of Waste Volume: 7,080 gals.

Source(s) of Information: 104(e) response(s); Correspondence from company; Morgan Spring Contamination Study

Type of business:

Fabricator of composite materials for aerospace, defense, and commercial markets.

In business and using the Landfill from 1969 through 1983 based upon 104(e)). Transporter was Environmental Action.

Employees: 78

Waste estimate includes 2 gallons per year of adhesive film, 2 gallons per year of adhesive resins, 1 gallon per year of cutting oil, 2 gallons per year of speedi-dry soaked with hydraulic waste oil and 300 gallons per year of waste paint (company correspondence, 104(e), and Morgan Spring Study).

Creative Products, Inc. (Creative Tools)

Best Estimate of Waste Volume: 6,225 gals.

Source(s) of Information: 104(e) response(s); Correspondence to EPA; Morgan Spring Contamination Study; VT AEC trip report; VT AEC Hazardous Waste Notification Report

Type of business:

Manufacturer of ratchet screwdriver known as the "Easydriver."

Creative Tools was founded in 1971 (104(e)). Both Creative Tools and Creative Products used the Landfill from 10/71 until date of Landfill closed (104(e)).

Employees: 60

Waste estimate includes 250 pounds per month of cutting oil wastes. Assumed that metal shavings were salvaged and other wastes went to Fire Department for training purposes (VT Hazardous Waste Notification Report).

All estimated volumes were converted to their liquid equivalent in gallons.

Eveready Battery Company, Inc.

Best Estimate of Waste Volume: 335,743 gals.

Source(s) of Information: 104(e) response(s); Letter from Town regarding liquid waste dumping in Landfill lagoon; Internal company correspondence; VT AEC notification of hazardous waste activity; Witness interview(s)

Type of business:

Manufacturer of small chemical batteries, flask lights, and other lighting products. Successor to Union Carbide.

In business and using the Landfill from 1969 through date of Landfill closure (interviews, 104(e)).

Unknown number of employees.

Waste estimate includes: 15 pounds per day of form cakes; 19 pounds per day of battery assemblies; 300 gallons per year waste oil; 50 gallons per year solvents; 556 pounds per day metal wastes and salts; (5 previous wastes based upon 104(e)) 70 pounds per year of PCBs based upon above sources and best professional judgement.

All estimated volumes were converted to their liquid equivalent in gallons.

H.M. Tuttle Co., Inc.

Best Estimate of Waste Volume: 1,539 gals.

Source(s) of Information: 104(e) response(s); Witness affidavit(s)/interview(s); Correspondence from company lawyer

Type of Business:

Retail sale of building supplies, retail sale and distribution of fuel oil.

Company was incorporated in 1938 (104(e)) and is assumed to have used the Landfill from 1969 through date of Landfill closure.

Unknown number of employees.

Waste estimate includes 8 used oil filters per month, 25 pounds per month metal grindings, and 2 gallons per month of paint waste (Company correspondence).

All estimated volumes were converted to their liquid equivalent in gallons.

Jard Company, Inc.

Best Estimate of Waste Volume: 759,060 gals.

Source(s) of Information: 104(e) response(s); Letter from Town regarding liquid waste dumping in Landfill lagoon; EPA trip report; VT AEC trip report; Witness interview(s); Morgan Spring Contamination Study

Type of Business:

1969 Town of Bennington Annual Report indicated that Jard was a new company in Town. Defunct entity underwent bankruptcy in 1992. Former manufacturer of, among other things, capacitors using PCBs.

In business and using the Landfill from at least 1970 through date of Landfill closure.

Employees: 200

Waste estimate includes 6 barrels per week of waste oils, 2 barrels per month paint waste (assumed this is twice Triangle's output, based on best professional judgement), 600 gallons of waste liquids every 2 months (US EPA TSCA Trip Report), 300 pounds of speedi-dry per month (assumed this is twice Triangle's output, based on best professional judgement), and 20,000 pounds per month of reject capacitors (VT AEC Hazardous Waste Notification of Hazardous Waste Activity by the Jard Company). Disposal of hazardous waste at Landfill is believed to have occurred from 1970 through 1980 and disposal of PCBs from 1971 through 1974 .

All estimated volumes were converted to their liquid equivalent in gallons.

Johnson Controls Battery Group, Inc.

Best Estimate of Waste Volume: 576,240 gals.

Source(s) of Information: 104(e) response(s); Letter from Town regarding liquid waste dumping in Landfill lagoon; VT AEC preliminary assessment; VT AEC correspondence; Witness interview(s); Morgan Spring Contamination Study; Master Plan Survey and Evaluation for the Town of Bennington (circa 1965)

Type of Business:

Successor to Globe Union, manufacturer of lead acid batteries.

In business and using the Landfill from 1969 through date of Landfill closure (104(e)).

Unknown number of employees.

Waste estimate includes 30 gallons of floor scrubblings per day, 55 gallons of waste liquid (oil and solvent) per week (Company correspondence), 110 gallons per month of other waste oils, 55 gallons per month of mold coat compound (Company correspondence), 5,000 gallons per month of waste water treatment plant sludge (VT Industrial Waste Survey), and 10 scrap batteries per day based upon best professional judgement and the 3600 battery per day plant capacity cited in the Master Plan Survey and Evaluation for the Town of Bennington (circa 1965).

Battery volume was estimated by applying the following factors:

1) Plant's daily battery production capacity is believed to be 3,600 batteries; 2) Assume that one-third of one percent of batteries produced fail (this would mean 5-10 batteries); 3) Assume that 1½ gallons of hazardous waste is contained in each battery.

Years of battery disposal at the Site are assumed to include only those before hazardous waste manifesting and disposal requirements were in place (i.e., up through 1981).

Lauzon Machine & Engineering, Inc.

Best Estimate of Waste Volume: 51,480 gals.

Source(s) of Information: 104(e) response(s); VT ANR trip report;
Witness interview(s); Morgan Spring Contamination Study

Type of Business:

Machine job shop involved in machine design and building.

Business was founded 31 years prior to 104(e) response and use of
the Landfill was assumed to be from 1969 through date of Landfill
closure.

Employees: 17

Waste estimate includes 1 barrel per month of metal chips and oil,
waste paint, solvent and speedi-dry (104(e)).

Depepa Corp. (f/k/a Merrill Transport Company)

Best Estimate of Waste Volume: 7,920 gals.

Source(s) of Information: 104(e) response(s); Town records; VT AEC correspondence; Witness interview(s) and affidavit(s)

Type of Business:

Defunct entity; Transporter specializing in liquid and dry bulk hauling.

Business originated in 1929. Assumed use of the Landfill from 1969 through date of Landfill closure.

Employees: 130

Waste estimate includes 3 gallons per month of paint and waste solvent, 30 oil filters per year, 25 pounds per month of speedi-dry, ½ barrel per month junk parts, and 1 barrel per year of metal and oil. All estimates based upon best professional judgement. Assume each oil filter contains one quart used oil.

All estimated volumes were converted to their liquid equivalent in gallons. Waste volumes for paints and solvents as well as speedi-dry are assumed to be equivalent to Bennington College's volumes. Oil filter wastes are assumed to be twice the volume generated by the VT Agency of Transportation.

Monument Industries, Inc.

Best Estimate of Waste Volume: 625 gals.

Source(s) of Information: 104(e) response(s); Company waste profile form

Type of Business:

Manufacturer and sale of plastic bags.

In business and using the Landfill from late 1970's to date of Landfill closure.

Unknown number of employees.

Waste estimate includes 500 pounds of speedi-dry with oils and solvents per year. This business was assumed to be comparable to that of Vermont Bag & Film with assumed to produce a comparable waste volume (see VT Bag and Film).

All estimated volumes were converted to their liquid equivalent in gallons.

Monument Plastics Machining, Inc.

Best Estimate of Waste Volume: 4,625 gals.

Source(s) of Information: VT ANR trip report; VT AEC trip report; VT AEC correspondence; 104(e) response(s); Morgan Spring Contamination Study; VT AEC notification of hazardous waste activity

Type of Business:

Operates screw machines and shapes plastic into products such as fittings and bushings for the electronics industry.

In business and using the Landfill from 1978 through the date of Landfill closure (104(e)).

Employees: 7

Waste estimate includes 25 gallons per month of speedi-dry with oil (VT ANR Trip Report) and 25 pounds per week of plastic chips with oil (104(e)).

All estimated volumes were converted to their liquid equivalent in gallons.

MascoTech Controls, Inc. (f/k/a Schmelzer Corporation)

Best Estimate of Waste Volume: 17,280 gals.

Source(s) of Information: 104(e) response(s); VT site inspection interview; Witness affidavit(s); VT AEC hazardous materials management program form; Information submitted by PRP representatives through the PRP Coalition

Type of Business:

Assembles product known as a "vacuum brake assembly."

In business and using the Landfill from 1979 through the date of Landfill closure (104(e)).

Employees: 1-300

Waste estimate includes 240 pounds per month of speedi-dry with oil and solvents (Witness affidavit for speedi-dry usage and best professional judgement for oil and solvents), 70 gallons per month of waste oil, 30 gallons per month of waste hydraulic oil (VT AEC Hazardous Materials Management Program Form) and 20 30-gallon barrels per year of metal waste (affidavit).

All estimated volumes were converted to their liquid equivalent in gallons.

Sibley Manufacturing Co., Inc./CLR Corporation.

Best Estimate of Waste Volume: 28,600 gals.

Source(s) of Information: VT AEC industrial waste survey; Witness interview(s); Master Plan Survey and Evaluation for the Town of Bennington (circa 1965); Transporter records; Information submitted by PRP representatives through the PRP Coalition

Type of Business:

Machine tool company.

In business as of 1964 (Master Plan Survey and Evaluation for the Town of Bennington) and assumed use of the Landfill from 1969 through 1979.

Employees: 35

Waste estimate includes 1 barrel per week of metal chips with cutting oils based upon best profession judgement of all source material including witness interviews and information provided by Sibley. Waste oils and solvents were given to Fire Department (VT AEC, Industrial Waste Survey)

Southwestern Vermont Medical Center, Inc.

Best Estimate of Waste Volume: 990 gals.

Source(s) of Information: 104(e) response(s); Company correspondence; Information submitted by PRP representatives through the PRP Coalition

Type of Business:

Non-profit hospital.

In business and using the Landfill from 1969 through the date of Landfill closure.

Unknown number of employees.

Waste estimate of minimal volume includes 1 barrel per year of medical waste with oil and solvent, based on best professional judgment considering all source materials.

Triangle Wire & Cable, Inc.

Best Estimate of Waste Volume: 17,535 gals.

Source(s) of Information: 104(e) response(s); VT AEC RCRA trip report; Witness affidavit(s); VT ANR RCRA inspection report; Correspondence from company and its legal counsel; Information submitted by PRP representatives through the PRP Coalition

Type of Business:

Cord set (extension cord) assembly plant.

In business and using the Landfill from 1981 through the date of Landfill closure (104(e)).

Employees: 115

Waste estimate includes 25 gallons per month waste oil (104(e)), 2 barrels per month rags with solvents (best professional judgement based upon evaluation of all information), 150 pounds per month of speedi-dry with oil and solvent (affidavit for speedi-dry usage and best professional judgement for oil and solvent), and 1 barrel per month of waste paints and adhesives based upon best professional judgement.

All estimated volumes were converted to their liquid equivalent in gallons.

U.S. Tsubaki, Inc.

Best Estimate of Waste Volume: 9,118 gals.

Source(s) of Information: 104(e) response(s); VT AEC trip report; Morgan Spring Contamination Study; Correspondence from company legal counsel; Information submitted by PRP representatives through the PRP Coalition

Type of Business:

Manufacturer of sprockets.

In business and using the Landfill from 1977 through the date of Landfill closure (VT AEC Trip Report).

Employees: 125

Waste estimate includes 1,800 pounds per year speedi-dry with oil, 214 pounds per year other liquid hazardous waste, and 1 barrel per month grinding sludge.

All estimated volumes were converted to their liquid equivalent in gallons.

Vermont Agency of Transportation

Best Estimate of Waste Volume: 2,997 gals.

Source(s) of Information: 104(e) responses; Information submitted by PRP representatives through the PRP Coalition; Witness affidavit(s); VT ANR hazardous waste management program's notification of hazardous waste activity.

Type of Business:

State agency responsible for maintaining state owned transportation system. Operates facility in Bennington used primarily for vehicle and equipment storage, maintenance and repair.

In operation and using the Landfill from 1969 through the date of Landfill closure (104(e)).

Employees: 40

Waste estimate includes 25 pounds per month of speedi-dry and oil, 16 oil filters per year, 10 pounds per month of waste paint (Hazardous Waste Management program, Notification of Hazardous Waste Activity), and 2 barrels per year of rags with oil and solvents. Assume each oil filter contains one quart used oil. Assumed volume of speedi-dry and oil as about twice that of Bennington College.

All estimated volumes were converted to their liquid equivalent in gallons.

Vermont Bag & Film, Inc.

Best Estimate of Waste Volume: 1,125 gals.

Source(s) of Information: 104(e) response(s); Information submitted by PRP representatives through the PRP Coalition; VT ANR trip report; transporter journals; Morgan Spring Contamination Study; Witness interview(s); VT ANR inspection checklist

Type of Business:

Plastic extrusion company which manufactures low density polyethylene bags from granulated plastic.

Doing business in Bennington in early 1960's and assumed use of the Landfill from 1969 through the date of Landfill closure(104(e)).

Employees: 12

Waste estimate includes 500 pounds per year of grease and degreasers.

All estimated volumes were converted to their liquid equivalent in gallons.

Vermont Tissue

Best Estimate of Waste Volume: 160 gals.

Source(s) of Information: 104(e) response(s); VT ANR trip report;
VT AEC hazardous waste management program information

Type of Business:

Manufacturer of stuffing and packing tissue.

In business for 47 years (Trip Report VT ANR). Assumed use of the
Landfill from 1969 through about 1980.

Employees: 5

Waste estimate includes 16 gallons per year of hazardous waste as
part of company's paper sludge known as "white water." Paper mill
white water may contain trace levels of solvents. Assumed 1
percent of white water consisted of hazardous waste based upon best
professional judgement.